

THE PATENT OFFICE OF THE PEOPLE'S REPUBLIC OF CHINA

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Applicant:	SYSTEC POS-TECHNOLOGY GMBH	Date of Notification: Date: <u>20</u> Month: <u>03</u> Year: <u>2009</u>
Attorney:	ZHANG ZHAODONG	
Application No.:	200480034027.7	
Title of the Invention:	TRANSPORT CAR WITH ANTI-THEFT PROTECTION	

Notification of the Third Office Action

1. ☒ The examiner received the response submitted by the applicant on **Dec. 04, 2008** to the **Second** Office Action and further examination as to substance has been carried out on the above-identified patent application for invention on this new basis.

- ☐ According to the Reexamination Decision made by the Patent Reexamination Board of the Patent Office on _ examination as to substance on the above-identified application has been resumed.
- ☐ _____

2. ☐ The amendments submitted by the applicant on _____ do not comply with the provision of Rule 51 Paragraph 3 of the Implementing Regulations.

3. Further examination as to substance has been carried out based on the documents as specified below:

- ☐ The amended application documents attached to the response to the previous Office Action.
- ☒ The application documents based on which the previous examination was carried out and the replacement pages attached to the response to the previous Office Action.
- ☐ The application documents based on which previous examination was carried out.
- ☐ The application documents confirmed by the Reexamination Decision.
- ☐ _____

4. ☐ No further reference documents are cited in this Office Action.

☒ Below is/are the reference document(s) cited in this Notification:

No.	Number(s) or Title(s) of Reference(s)	Date of Publication (or the filing date of conflicting application)
3	US4199043	Apr. 22, 1980
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5. Conclusions of the Action:

☐ On the Description:

- ☐ The subject matter contained in the application is not patentable under Article 5 of the Patent Law.
- ☐ The description does not comply with Article 26 paragraph 3 of the Patent Law.
- ☐ The amendments to the description do not comply with Article 33 of the Patent Law.
- ☐ The draft of the description does not comply with Rule 18 of the Implementing Regulations.
- ☐ _____

☒ On the Claims:

- ☒ Claim(s) **1-2** does/do not possess the novelty as required by Article 22 paragraph 2 of the Patent Law.
- ☒ Claim(s) **3** does/do not possess the inventiveness as required by Article 22 paragraph 3 of the Patent Law.
- ☐ Claim(s) _____ does/do not possess the practical applicability as required by Article 22 paragraph 4 of the Patent Law.
- ☐ Claim(s) _____ is/are not patentable under Article 25 of the Patent Law.
- ☐ Claim(s) _____ does/do not comply with Article 26 paragraph 4 of the Patent Law.
- ☐ Claim(s) _____ does/do not comply with Article 31 paragraph 1 of the Patent Law.

- ☐ Claim(s) _____ does/do not comply with Article 33 of the Patent Law.
☐ Claim(s) _____ does/do not comply with the definition of inventions prescribed by Rule 2 paragraph 1 of the Implementing Regulations.
☐ Claim(s) _____ does/do not comply with the provisions of Rule 13 paragraph 1 of the Implementing Regulations.
☐ Claim(s) _____ does/do not comply with the provisions of Rule 20 of the Implementing Regulations.
☐ Claim(s) _____ does/do not comply with the provisions of Rule 21 of the Implementing Regulations.
☐ Claim(s) _____ does/do not comply with the provisions of Rule 22 of the Implementing Regulations.
☐ Claim(s) _____ does/do not comply with the provisions of Rule 23 of the Implementing Regulations.
☐ _____
☐ The divisional application does/do not comply with Rule 43 paragraph 1 of the Implementing Regulations.
 Please refer to the text portion of the Office Action for details.

6. In view of the conclusions set forth above, the Examiner is of the opinion that:
- ☐ The applicant should make amendments to the application documents as directed in the text portion of the Notification.
☐ The applicant should expound in the response reasons why the application is patentable and make amendments to the application where there are deficiencies as pointed out in the text portion of the Notification; otherwise, the application will be rejected.
☒ The application contains no allowable invention, and therefore, if the applicant fails to submit sufficient reasons to prove that the application does have merits, it will be rejected.
☐ _____
7. The followings should be taken into consideration by the applicant in making the response:
- (1) Under Article 37 of the Patent Law, the applicant should respond to the office action within 2 months counting from the date of receipt of the Notification. If, without any justified reason, the time limit is not met, the application shall be deemed to have been withdrawn.
 - (2) Any amendments to the application should be in conformity with the provisions of Article 33 of the Patent Law and Rule 51 of the Implementing Regulations. Substitution pages should be in duplicate and the format of the substitution should be in conformity with the relevant provision contained in "The Examination Guidelines".
 - (3) The response to the Notification and/or revision of the application should be mailed to or handed over to the "Reception Division" of the Patent Office, and documents not mailed or handed over to the Reception Divisions have no legal effect.
 - (4) Without an appointment, the applicant and/or his agent shall not interview with the Examiner in the Patent Office.
8. This Notification contains a text portion of 2 pages and the following attachments:
- ☒ 1 cited reference(s), totaling 4 pages.
☐ _____

Examiner: GU Jiayun
 Date: __ Month: __ Year: __

Examination Dept.

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Seal of the Examination
 Department

Text Portion of the Notification of the Third Office Action

The applicant submitted the observations together with the replacement sheets of the amended application documents on December 4, 2008. After reading the above-mentioned documents, the examiner comes to the following comments based on further examination:

- 1. Claim 1** does not possess novelty as prescribed in Article 22(2) of the Chinese Patent Law (CPL).

Claim 1 is directed to a trolley with rollers. However, D2 (GB2327916A, see lines 9 and 21-33 on page 2 of the description; Fig. 4a) discloses a trolley with rollers as well, wherein the rollers are all steerable, and the trolley has a roller steering locking device which functions as a theft-proofing equipment and can lock the rollers in a steering position, and said roller steering locking device can be activated automatically as soon as the trolley is pushed outside an admissible area, so as to fix all the rollers in a steering position corresponding to a blocking angle of the respective roller, and when the roller steering locking device which functions as a theft-proofing equipment is triggered, the roller is moved automatically into the steering position corresponding to the blocking angle. Thus it can be seen that all the technical features of claim 1 are disclosed in D2, and both claim 1 and D2 involve the same technical solution. Moreover, both of them belong to the technical field of trolley, solve the same technical problem of guarding against theft and can bring about the same technical effect. Consequently, claim 1 does not possess novelty.

- 2. Claim 2** does not possess novelty as prescribed in Article 22(2) of the CPL.

Claim 2 depends on claim 1, while D2 also discloses that when the roller steering locking device which functions as a theft-proofing equipment is activated, a force occurs which causes the wheel to rotate into the oblique position of the blocking angle, namely the additional technical feature of claim 2 is disclosed by D2 as well. Hence, in the case where the claim on which claim 2 depends does not possess novelty, claim 2 does not possess novelty either.

- 3. Claim 3** does not involve an inventive step as prescribed in Article 22(3) of the CPL.

Claim 3 depends on claim 1 or 2. D3 (US 4199043, see lines 35-63 on column 2 of the description; Figs. 1-2) discloses a trolley which also comprises a theft-proofing device, wherein when the theft-proofing device is activated, a spring-loaded 54 bolt 50 latches immediately into a recess 56 on a roller 18. Although D3 does not disclose that the condition of making the bolt be inserted into the recess of the roller

is that the steering angle corresponds to the envisaged blocking angle, D3 provides the technical teaching for solving the problem of locking the wheel steering angle, and said teaching makes a person skilled in the art have the motif to obtain the technical solution of claim 3 by combining the content of D3 with the solution of D2 according to common knowledge in the art when he/she faces said technical problem. For a person skilled in the art, such combination is obvious and does not possess prominent substantive feature. Consequently, claim 3 does not involve an inventive step.

Due to the reasons set forth above, **none of the claims of the present application possesses novelty or inventiveness. Meanwhile, the description does not contain any other substantive contents that can be granted a patent right. Thus the present application has no prospect of being granted a patent right.** If the applicant fails to present sufficient reasons to prove that the present application possesses novelty and inventiveness within the time limit as specified in this notification, the present application will be rejected. Please note that the amendment to the application documents may not go beyond the scope of the disclosure in the initial description and claims as required by Article 33 of the Chinese Patent Law.

The examiner

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